

1.	Provide a brief introduction to the Sex Offender Treatment Board, including information about its purpose, statutory duties, staff and administrative attachment.	<p>The Sex Offender Treatment Board (SOTB) is presently comprised of ten active members representing public and private entities.</p> <p>Pursuant to Tennessee Code Annotated 39-13-704, the SOTB is charged with the responsibility of establishing a comprehensive statewide treatment and monitoring system for adult sexual offenders. A statewide network of treatment providers continues to be developed and refined from year to year. A directory of providers may be obtained at http://state.tn.us/correction/tsotb/tsotb.html.</p> <p>The board continues to focus its effort on providing highly specialized training and continuous consultative services that emphasize a singular treatment philosophy with the goal of reducing the level of fragmentation in service delivery in the state. This outreach is addressed to the provider network, as well as to Probation and Parole and Community Correction offices throughout the state, to assure that there is expertise in every community for the management of sex offenders in every community.</p> <p>The TDOC Clinical Services Division coordinates administrative duties for the SOTB.</p>
2	Provide a list of current board members and describe how membership complies with Section 39-13-704, <i>Tennessee Code Annotated</i> . Are there any vacancies on the board? If so, what steps have been taken to fill the vacancies?	<p>The expectation continues to be that each board member possess a level of expertise and understanding of the nature of sexual offending behavior and the impact that sexual predators present to the community, as well as a desire and commitment to support the mission of the SOTB.</p> <p>The composition of the SOTB , as prescribed by Tennessee Code Annotated 39-13-704 is as follows:</p> <p>(1) One (1) member representing the judicial branch, appointed by the Chief Justice of the Tennessee Supreme Court;</p> <ul style="list-style-type: none"> • Monte Watkins <p>(2) Two (2) members representing the Department of Correction, appointed by the Commissioner of Correction;</p> <ul style="list-style-type: none"> • Dr. Marina Cadreche • Mr. George Barliss <p>(3) One (1) member representing the Tennessee Bureau of Investigation, appointed by the Director;</p> <ul style="list-style-type: none"> • Mr. Dale Armour <p>(4) One (1) member representing the Department of Children's Services, appointed by the Commissioner of Children's Services;</p> <ul style="list-style-type: none"> • Frances Cowan

	<p>(5) One (1) member, appointed by the Commissioner of Correction, who is a licensed mental health professional with recognizable expertise in the treatment of sex offenders;</p> <ul style="list-style-type: none">• Dr. James Adler <p>(6) One (1) member, appointed by the Commissioner of Correction, who is a District Attorney General;</p> <ul style="list-style-type: none">• Ms. Katherine White <p>(7) One (1) member, appointed by the Commissioner of Correction, who is a member of a Community Corrections Advisory Board;</p> <ul style="list-style-type: none">• Ms. Ann Peebles <p>(8) One (1) member, appointed by the commissioner of correction, who is a Public Defender;</p> <ul style="list-style-type: none">• Mr. David Doyle <p>(9) One (1) member, appointed by the commissioner of correction, who is representative of law enforcement;</p> <ul style="list-style-type: none">• Capt. Terrence Graves <p>(10) Two (2) members, appointed by the commissioner who are recognized experts in the field of sex abuse, and who can represent sex abuse victims and victims' rights organizations;</p> <ul style="list-style-type: none">• Verma Wyatt• Bonnie Benecke <p>(11) One (1) member, appointed by the presiding officer of the Sex Offender Treatment Board, who is a representative of the board of probation and parole.</p> <ul style="list-style-type: none">• Ms. Kirk Smith <p>Vacancies: It is the responsibility of the Department, rather than of the Board itself, to address the vacancies that occur. The board itself has no authority to make appointments to its membership, and the board depends entirely upon the Department to attend to matters of administration for the board.</p> <ul style="list-style-type: none">• Those seats that were expressly vacated (the Court, the DA, and Law Enforcement representatives have been reassigned by designated Commissioner. <p>The Tennessee Department of Correction Commissioner's desires that one of his representatives on the board serve as the chair. Dr. Cadreche serves in this function.</p>
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		<p>Steps taken to fill a vacancy is as follows;</p> <ul style="list-style-type: none"> • The TDOC sends correspondence from Commissioner to Commissioner through a letter for their appointment. • Followed up by phone calls <p>All necessary public appointments have been brought up to date and transmitted to the Secretary of State for recording.</p>
3	Does membership include a member who is sixty years of age or older? A member who is a racial minority? A member who is female?	<ul style="list-style-type: none"> • The SOTB does not solicit information concerning the ages of its membership, but is assured by the membership that at least one of its number is sixty years of age or older. • Racial Minority; yes • Female; yes
4	What per diem or travel reimbursement do members receive? How much was paid to board members during fiscal years 2011 and 2012?	The board members do not receive a per diem but may be reimbursed under the TN Comprehensive Travel Regulations. The amount reimbursed was \$3,296.75
5	What were the board's revenues (by source) and expenditures (by object) for fiscal years 2011 and 2012?	<p>FY11: \$79,646.73 Sex Offender Fees collected by Department of Revenue <u>24,676.58</u> Sex Offender Fees collected by DOC Trust Fund \$104,323.31 Total Revenue</p> <p>\$ 3,296.75 Travel <u>469,160.00</u> Professional Services \$472,456.75 Total Expenditures</p> <p>FY12: \$ 61,959.88 Sex Offender Fees collected by Department of Revenue <u>19,361.87</u> Sex Offender Fees collected by DOC Trust Fund \$81,321.75 Total Revenue through April 2012</p> <p>\$ 1,439.28 Travel <u>382,062.50</u> Professional Services \$383,501.78 Total Expenditures through April 2012</p>

6	How many times did the board meet in fiscal years 2011 and 2012, and how many members were present at each meeting?	<p>The SOTB generally meets quarterly, but more frequently when the agenda requires. Exceptions occur during the end of year holiday season or as inclement weather may require. Participation is not compensated, except as to compensation for per diem expenses, as noted above, and is otherwise an accommodation of the member's employing agency or entity. Attendance thus varies, according to the necessity that the several members attend to other professional duties from time to time.</p> <p>FY11: FY12:</p> <div style="display: flex; justify-content: space-between;"> <ol style="list-style-type: none"> 1. Jan (7 members) 2. March (8 members) 3. May (7 members) 4. July (5 members) 5. Sept (4 members) <ol style="list-style-type: none"> 1. Jan (7 members) </div>
7	Is the board subject to Sunshine law requirements (Section 8-44-101 et seq., <i>Tennessee CodeAnnotated</i>) for public notice of meetings, prompt and full recording of minutes and public access to minutes? If so, what procedures does the board have for informing the public of its meetings, who keeps the official minutes of board meetings and what steps are taken to make the minutes available to the public?	<p>The SOTB is subject to Sunshine law requirements. Its current schedule of meetings is posted on its website, http://state.tn.us/correction/tsotb/resources.html. The SOTB does receive visitors from time to time and does welcome input from those who may wish to address the board. Minutes of each meeting are prepared by a recording secretary, of the TDOC, and are available for inspection in accordance with Tennessee Code Annotated, Title 10, Chapter 7.</p>
8	Does the board have any policies in place to address potential conflicts of interest by board members, board employees, or other state employees who work with the board in any capacity? If yes, please describe.	<p>There is little or no pecuniary, material, political, or social advantage to be realized from the primary business of the board, which is the maintenance of standards for the treatment of sex offenders. That field of practice is not lucrative, and it is not realistic to expect that any one would attempt to purchase influence or have any expectation of gain by selling it, relative to the work of the Board. That said, ethical standards for sexual offender treatment, set forth in the TSOTB statement of Policy and Procedure makes clear that all conduct in furtherance of sexual offender treatment is strictly for the benefit of the public. See http://state.tn.us/correction/tsotb/documents.html</p> <p>TSOB Policy: Disciplinary Actions-Unprofessional Conduct The Board has the authority to:</p> <ol style="list-style-type: none"> (1) Deny any application or request for becoming a "board approved sex offender treatment provider" (2) Permanently or temporarily withhold approval status (3) Suspend, limit or restrict a previously approved provider's approval status (4) Reprimand or take such action in relation to disciplining an applicant as the board in its discretion may deem proper (5) Permanently revoke a provider's approval status
9	What were the major accomplishments of the board during fiscal years 2011 and 2012?	<p>Annual fulfillment of its training effort.</p> <ul style="list-style-type: none"> • Since the last sunset review, the board achieved this mission at a great savings to the State by partnering with other agencies having parallel missions and training needs.

10	<p>Has the board developed the following as required by Section 39-13-704? If so, provide documentation for (or a description of) each item developed.</p> <ul style="list-style-type: none"> • A standardized procedure for the evaluation and identification of sex offenders? • Methods of intervention for sex offenders? • Measures of success? • Guidelines and standards for a system of programs for the treatment of sex offenders? • A plan for the allocation of sex offender treatment fund dollars among the judicial branch and the Departments of Correction and Children's Services? • A system for tracking offenders who have been subject to evaluation, identification, and treatment? • A system for monitoring offender behaviors and offender adherence to prescribed behavioral changes? 	<p>Standards, Guidelines, and Best Practices (which address intervention methodologies) established by the SOTB are described on its website, at http://state.tn.us/correction/tsotb/documents.html</p> <ul style="list-style-type: none"> • Measures of success (this task has not been funded, to date). • There has been no plan of allocation developed, inasmuch that there does not appear to have been a fund balance appropriate for such distribution at any time in the history of the fund. The balance of the fund substantially goes to reimbursement of treatment services for indigent offenders, and for provider and offender management training. The fund typically maintains a marginal surplus from year to year after these expenses are satisfied. • Tracking Offenders; this task has never been funded for the SOTB. This provision of Tennessee Code Annotated 39-13-704(d)(4) appears to have been made obsolete with the enactment of Tennessee Code Annotated 40-39-201 et seq. and 40-39-301 et seq., which provide for comprehensive tracking and monitoring of sex offenders by the Board of Probation and Parole. • Monitoring offender; this task has never been funded for the SOTB. Offenders receiving treatment during incarceration are closely monitored regarding progress in treatment. Offender attendance to and progress in treatment in the community is a core element of supervision and is closely monitored by Probation and Parole.
11	<p>Is each sex offender required to submit to an evaluation for risk, identification, amenability to treatment, and behavior management? How are such evaluations used?</p>	<p>The sex offender is required to submit to an evaluation. The evaluation is used by the court, the treatment provider, and the community supervisor to establish the appropriate disposition, level of treatment, and plan of management for the offender.</p>
12	<p>Describe the number and type of sex offender treatment slots available. Are sufficient slots available? If not, provide information on the number of persons on a waiting list and the approximate wait.</p>	<p>SOTB identifies the provider network, which establishes the number of providers available in a given locale at a given time. The SOTB lacks the resources to measure system capacity or monitor system utilization. There is no indication of any wait list situation within the community treatment system, that we are aware of. The treatment program operated by the TDOC for incarcerated offenders does have a defined and limited capacity.</p>
13	<p>What other reports does the board prepare on its operations, activities and accomplishments and who receives the reports?</p>	<p>The SOTB does not currently prepare or cause to be prepared any reports other than those described above.</p>
14	<p>To what extent have offenders paid the costs of evaluation, identification, and treatment? How is ability to pay determined?</p>	<p>The Board of Probation and Parole (BOPP) adopted for use the same criteria used for determining ability to pay supervision & criminal injuries fund fees, which is outlined in statute. Since all treatment is between the provider & offender, and not contracted with BOPP in any way, we do not have an ability to track what was actually paid,</p>
15	<p>What was the balance in the sex offender treatment fund as of June 30, 2011? To what extent was the money in this fund supplemented by state appropriations (or other revenues) during fiscal years 2011 and 2012?</p>	<p>The fund balance as of June 30, 2011 was (\$6,425.05). In FY 11, there was a state appropriation in the amount of \$340,000.00 for FY11 and FY12 \$443,600.00.</p>

SUNSET PUBLIC HEARING QUESTIONS

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16	Is a system in place, as required by Section 39-13-709, <i>Tennessee Code Annotated</i> , to charge each person convicted of a sex offense a tax? What was the average amount charged to each sex offender during fiscal year 2011? Does the Department of Correction have a procedure to deduct unpaid balances from the offender's trust fund account?	The sentencing Judge assesses the sex offender fee, not TDOC. TDOC does not receive information when the fee is assessed so an average cannot be calculated. If an inmate comes into our institution and there is a fee assessed, the fee is taken out of his/her trust fund account.
17	Describe any items related to the board that require legislative attention and your proposed legislative changes.	The provision of 39-13-704(3), regarding allocation of the treatment fund appears to be moot, given fiscal record of the fund from inception to date.
18	Should the board be continued? To what extent and in what ways would the absence of the board endanger the public health, safety or welfare?	The board should be continued. The evaluation and treatment of sex offenders is essential to public safety and serves that interest by providing necessary decision support to the criminal courts in the disposition of sex offender cases, and qualified treatment services as a necessary component of sex offender management in the community.
19	Please list all board programs or activities that receive direct or indirect federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity. <i>If the board does receive federal assistance, please answer questions 20 through 28. If the board does not receive federal assistance, proceed directly to question 26.</i>	The Sex Offender Treatment Board does not receive any federal funds, directly or indirectly.
20	Does your board prepare a Title VI plan? If yes, please provide a copy of the most recent plan.	N/A
21	Does your board have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VII issues.	N/A
22	To which state or federal agency (if any) does your board report concerning Title VI? Please describe the information your board submits to the state or federal government and/or provide a copy of the most recent report submitted.	N/A
23	Describe your board's actions to ensure that board staff and clients/program participants understand the requirements of Title VI.	N/A
24	Describe your board's actions to ensure it is meeting Title VI requirements. Specifically, describe any board monitoring or tracking activities related to Title VI, and how frequently these activities occur.	N/A
25	Please describe the board's procedures for handling Title VI complaints. Has your board received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).	N/A

26	Please provide a breakdown of current board staff by title, ethnicity, and gender.	<table><tr><th>BOARD MEMBER</th><th>TITLE/OFFICE</th><th>ETHNICITY</th><th>GENDER</th></tr><tr><td>Monte Watkins</td><td>Davidson County Circuit Court Judge</td><td>African American</td><td>M</td></tr><tr><td>Dr. Marina Cadreche</td><td>Director of Clinical Services (TDOC)</td><td>Hispanic</td><td>F</td></tr><tr><td>Mr. George Barliss</td><td>Clinical Supervisor (TDOC-CBCX)</td><td>Caucasian</td><td>M</td></tr><tr><td>Mr. Dale Armour</td><td>Assistant. Special Agent Tennessee Bureau of Investigation</td><td>Caucasian</td><td>M</td></tr><tr><td>Ms. Kirk Smith</td><td>Assistant Director of Field Services</td><td>Caucasian</td><td>F</td></tr><tr><td>Dr. James Adler</td><td>Licensed Psychological Examiner</td><td>Caucasian</td><td>M</td></tr><tr><td>Ms. Katherine White,</td><td>District Attorney Attorney Generals Office</td><td>Caucasian</td><td>F</td></tr><tr><td>Ms. Ann Peebles</td><td>Case Officer, CMC</td><td>African American</td><td>F</td></tr><tr><td>Mr. David Doyle, Esq.</td><td>Public Defender, Sumner County</td><td>Caucasian</td><td>M</td></tr><tr><td>Capt. Terrence Graves</td><td>Metropolitan Nashville Criminal Investigation.</td><td>African American</td><td>M</td></tr><tr><td>Ms. Verna Wyatt</td><td>Executive Director, “You Have The Power,”</td><td>Caucasian</td><td>F</td></tr><tr><td>Ms. Bonnie Benecke</td><td>LCSW, TN Chapter of Child Advocacy Centers</td><td>Caucasian</td><td>F</td></tr><tr><td>Frances Cowan</td><td>Department of Children’s Services</td><td>Caucasian</td><td>F</td></tr></table>	BOARD MEMBER	TITLE/OFFICE	ETHNICITY	GENDER	Monte Watkins	Davidson County Circuit Court Judge	African American	M	Dr. Marina Cadreche	Director of Clinical Services (TDOC)	Hispanic	F	Mr. George Barliss	Clinical Supervisor (TDOC-CBCX)	Caucasian	M	Mr. Dale Armour	Assistant. Special Agent Tennessee Bureau of Investigation	Caucasian	M	Ms. Kirk Smith	Assistant Director of Field Services	Caucasian	F	Dr. James Adler	Licensed Psychological Examiner	Caucasian	M	Ms. Katherine White,	District Attorney Attorney Generals Office	Caucasian	F	Ms. Ann Peebles	Case Officer, CMC	African American	F	Mr. David Doyle, Esq.	Public Defender, Sumner County	Caucasian	M	Capt. Terrence Graves	Metropolitan Nashville Criminal Investigation.	African American	M	Ms. Verna Wyatt	Executive Director, “You Have The Power,”	Caucasian	F	Ms. Bonnie Benecke	LCSW, TN Chapter of Child Advocacy Centers	Caucasian	F	Frances Cowan	Department of Children’s Services	Caucasian	F
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27	Please list all board contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.	The SOTB has no ongoing contracts for services. The board does purchase professional services annually, in respect to speaker compensation, and booking meeting facilities, in connection with its annual training conference. Speaker engagements are determined based upon subject matter relevance to the training program need, and otherwise upon proposal. The board does not contract for provider services, per se but does maintain a list of providers of treatment services, updated annually, who have agreed to conform their practice to the guidelines and standards set forth by the SOTB. Entry into such agreement and listing as an approved provider are open to all.																																																								

28	<p>Please provide a breakdown of inmates who participated during fiscal years 2011 and 2012 by ethnicity for each of the sex offender treatment programs covered under Title VI. (Note: This item will apply to federally funded programs operated directly by the auditee, as well as to federally funded programs operated by the auditee's grantees/contractors.)</p>	<p>As is noted above, the SOTB is not a recipient of federal funding, does not have any employees, does not have any clients, and does not operate any programs from which offender participant data are available. Indigent Sex offender treatment in the community is funded from the surcharges assessed to all sex offenders pursuant to statute. Sex offender treatment provided to inmates in TDOC facilities is funded by general appropriation in the State budget. Any nexus between the facility programs and federal funding received by the TDOC is not within the purview or control of the SOTB directly. The SOTB would thus rely upon the TDOC in respect to any Title VI compliance issues affecting those programs.</p>
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